

REMARKS

This is in full and timely response the Office Action mailed on December 21, 2007.

Claims 24, 29, and 40-59 are currently pending in this application, with claim 24 and 29 being independent. *No new matter has been added.*

Reexamination in light of the following remarks is respectfully requested.

Entry of amendment

A Final Office Action was mailed in the above-identified application on June 1, 2007.

A Petition Under 37 C.F.R. §1.181 to Request Withdrawal of the Final Office Action was filed on June 18, 2007.

An Amendment After Final Action (37 C.F.R. Section 1.116) was filed on July 16, 2007.

On August 30, 2007, a Pre-Appeal Brief Request for Review was filed along with Reasons for Pre-Appeal Brief Request for Review.

To date, **no decision** on the Petition of June 18, 2007 has been mailed.

In the absence of a decision on the Petition of June 18, 2007, a Notice of Panel Decision from Pre-Appeal Brief Review mailed on October 15, 2007 indicates that the rejection made within the Final Office Action has been withdrawn.

In this regard, practice and procedures within the United States Patent and Trademark Office (USPTO) dictate that all amendments filed after the final rejection are ordinarily entered when a final rejection is withdrawn. See M.P.E.P. §706.07(e).

Accordingly, the Amendment After Final Rejection Under 37 C.F.R. § 1.116 filed on July 16, 2007 is deemed to have been entered prior to the mailing on December 21, 2007 of the Office Action.

Allowable subject matter

Claims 40-59 - Within the Office Action, no rejection of claims 40-59 is found. Accordingly, *claims 40-59 are deemed to contain allowable subject matter.*

Allowance of the claims is respectfully requested.

Rejection under 35 U.S.C. §103

Paragraph 3 of the Office Action includes a rejection of claims 3, 4, 21, 24-28, 30-32, and 37-38 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu).

This rejection is traversed at least for the following reasons.

Claims 3, 4, 21, 25-28, 30-32, and 37-38 - Claims 3, 4, 21, 25-28, 30-32, and 37-38 have been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claims 3, 4, 21, 25-28, 30-32, and 37-38 found within the Office Action is moot.

Claim 24 - Claim 24 is drawn to a communications system comprising:

a communications lighting apparatus having an illumination light source adapted to emit illumination light and an information-transmitting unit adapted to emit an optical signal,

wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources, and

wherein said information-transmitting unit is mounted on said illumination light source.

Claim 24 includes a communications lighting apparatus having an illumination light source (4) adapted to emit illumination light and an information-transmitting unit (5) adapted to emit an optical signal, wherein said information-transmitting unit (5) has light sources (52, 53), a light beam from one of said light sources (52, 53) being emitted independent of a light beam from another of said light sources (52, 53).

Figure 4B of the specification as originally filed is provided hereinbelow.

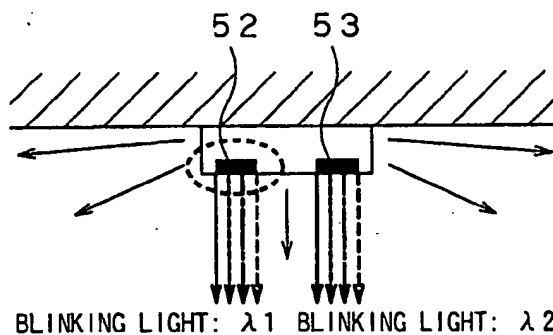


FIG. 4B

Dowling - The Final Office Action of June 1, 2007 readily concedes that Dowling fails to disclose, teach or suggest that the information-transmitting unit is mounted on said illumination light source (Final Office Action of June 1, 2007 at page 4).

Now, however, the Office Action of December 21, 2007 contends that Dowling teaches the presence of the information-transmitting unit is mounted on said illumination light source (Office Action of December 21, 2007 at page 3).

In response to this contention, Figure 7 of Dowling is provided hereinbelow.

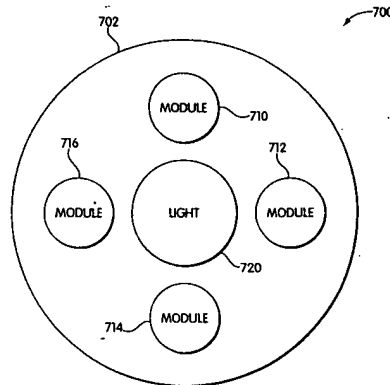


Fig. 7

Dowling arguably teaches that the modular lighting subsystem 700 may include a base 702 that forms a universal platform for a number of modules 710, 712, 714, 716 (Dowling at page 44, lines 16-17). Each module 710, 712, 714, 716 may fit into a cradle within the base 702, which may be any shape adapted to receive the module (Dowling at page 45, lines 4-5).

Dowling arguably teaches that the base 702 may include a light 720, such as an LED source or some other light source, and that the light 720 may form a discrete lighting area, such as a lens, within the base 702, or the base 702 may be formed of a diffusing material so that the light 720 provides illumination throughout the base 702 (Dowling at page 44, lines 18-21).

A first module 710 may provide power, and may include a battery or a converter for converting an external power source into a power source suitable for the lighting subsystem 700 (Dowling at page 45, lines 10-12).

A second module 712 may provide input/output, including a network interface such as a physical interface to an infrared or radio frequency network, and any network protocol stack required to form communication links between the lighting subsystem 700 and other nodes of a network (Dowling at page 45, lines 12-15).

A third module 714 may provide sensors such as microphones, temperature sensors, digital cameras, or, for example, any of the sensors discussed above (Dowling at page 45, lines 15-17).

A fourth module 716 may provide output devices such as a speaker, an LED or LCD display, additional lights or LED's, or some other output device (Dowling at page 45, lines 17-19).

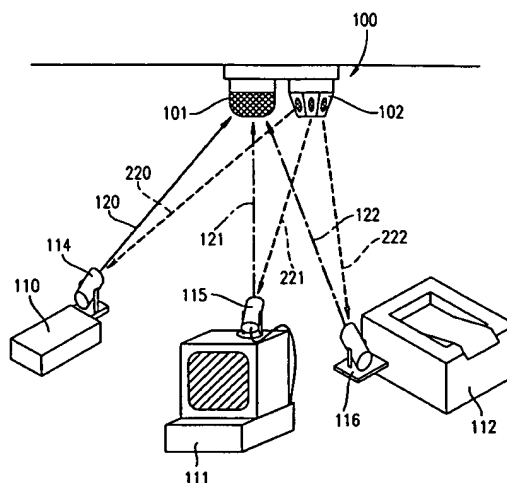
However, Dowling fails to disclose, teach, or suggest the fourth module 716 as having light sources, wherein a light beam from one of said light sources is emitted independent of a light beam from another of said light sources.

- Dowling fails to disclose, teach, or suggest the wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

Hiramatsu - Hiramatsu arguably teaches that in FIG. 1, the transmitter-receivers 114 through 116 transmit beams toward the imaging receiver 101 (Hiramatsu at column 5, lines 56-59).

Figure 1 of Hiramatsu is provided hereinbelow.

FIG. 1



- *However, Hiramatsu fails to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.*

Withdrawal of this rejection is respectfully requested.

Paragraph 4 of the Office Action includes a rejection of claims 22-23 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of U.S. Patent No. 5,218,466 (Brooks).

This rejection is traversed at least for the following reasons.

Claims 22-23 - Claims 22-23 have been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claims 22-23 found within the Office Action is moot.

Withdrawal of this rejection is respectfully requested.

Paragraph 5 of the Office Action includes a rejection of claim 29 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of “*Newton’s Telecom Dictionary*” (Newton).

This rejection is traversed at least for the following reasons.

Claim 29 - Claim 29 is drawn to a communications system comprising:

a communications lighting apparatus having an illumination light source adapted to emit illumination light and an information-transmitting unit adapted to emit an optical signal,

wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources, and

wherein said information-transmitting unit includes a recording medium and a reading section,

said reading section being adapted to read information stored in said recording medium,

said recording medium being removable from said information-transmitting unit.

Dowling - The Office Action of December 21, 2007 contends that Dowling teaches the presence of the information-transmitting unit is mounted on said illumination light source (Office Action of December 21, 2007 at page 3).

- *However, Dowling fails to disclose, teach, or suggest the wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.*

Hiramatsu - Hiramatsu arguably teaches that in FIG. 1, the transmitter-receivers 114 through 116 transmit beams toward the imaging receiver 101 (Hiramatsu at column 5, lines 56-59).

- *However, Hiramatsu fails to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.*

Paragraph 6 of the Office Action includes a rejection of claims 33-34 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of “*Optical Networks*” (Ramaswami).

This rejection is traversed at least for the following reasons.

Claims 33-34 - Claims 33-34 have been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claims 33-34 found within the Office Action is moot.

Withdrawal of this rejection is respectfully requested.

Paragraph 7 of the Office Action includes a rejection of claim 35 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of “*Hot New Beam May Zap Bandwidth Bottleneck*” (Service).

Claim 35 - Claim 35 has been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claim 35 found within the Office Action is moot.

Withdrawal of this rejection is respectfully requested.

Paragraph 8 of the Office Action includes a rejection of claim 36 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of “Optical Networks” (Ramaswami) and “Hot New Beam May Zap Bandwidth Bottleneck” (Service).

Claim 36 - Claim 36 has been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claim 36 found within the Office Action is moot.

Withdrawal of this rejection is respectfully requested.

Paragraph 9 of the Office Action includes a rejection of claim 39 under 35 U.S.C. §103 as allegedly being unpatentable over International Publication No. WO 02/25842 (Dowling) and in view of U.S. Patent No. 7,099,589 (Hiramatsu), and further in view of U.S. Patent No. 6,198,230 (Leeb).

Claim 39 - Claim 39 has been canceled within the Amendment After Final Action (37 C.F.R. Section 1.116) filed on July 16, 2007.

Accordingly, the rejection of claim 39 found within the Office Action is moot.

Withdrawal of this rejection is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance.

Therefore, this response is believed to be a complete response to the Office Action.

Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

There is no concession as to the veracity of Official Notice, if taken in any Office Action. An affidavit or document should be provided in support of any Official Notice taken. 37 CFR 1.104(d)(2), MPEP § 2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

Fees

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees. If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: March 21, 2008

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

Brian K. Dutton

Registration No.: 47,255

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorney for Applicant